

REMARKS/ARGUMENTS

Claims 1-22 are presently pending in the present application. Claims 1, 5, 9, 21, and 22 have been amended. Claims 1, 5, and 9 are independent claims. The Examiner is respectfully requested to reconsider his rejections in view of the Amendments and the following Remarks.

Drawings

The Examiner objected to Fig. 2 because both labels "120" and "225" appear to designate transmitters units, and both labels "130" and "235" appear to designate receiver units. The Examiner further points out that page 10 of the specification describes labels "225" and "235" as referring to diagnostic output signals.

Attached herewith are formal drawing corrections to Fig. 2. In Fig. 2, the connectors for labels "225" and "235" have been changed to more clearly associate these labels with the signals output from the transmitters TX_n and receivers RX_n, respectively, to the DIAGNOSTICS ANALYZER 250. Thus, Fig. 2 has been amended to clearly show that label "225" refers to the diagnostic output signals from the transmitters, and that label "235" refers to the diagnostic output signals of the receivers.

It is respectfully submitted that the above amendments add no new matter to the application. In view of the drawing correction, the Examiner is respectfully requested to withdraw this objection.

Specification

The Examiner objected to pages 9 and 11 for various informalities. Applicants respectfully submit that the specification has been amended above to implement the Examiner's recommended changes. Thus, the Examiner is respectfully requested to withdraw this objection.

Claim Objections

The Examiner objected to claims 21 and 22 for minor informalities. Specifically, the Examiner recommended replacing "cascaded" with "--cascade--" in each of claims 21 and 22. Applicants respectfully submit that claims 21 and 22 have been amended based on the Examiner's recommendations. Thus, withdrawal of these objections are respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 1, 2, 12-14, and 20 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 4,448,247 to

Waschka, Jr. (hereafter "Waschka") in view of U.S. Patent No. 4,019,048 to Maione et al. (hereafter "Maione").

Furthermore, claims 3-11, 15-19, 21, and 22 stand rejected under 35 USC § 103(a) as being unpatentable over Waschka and Maione, and further in view of U.S. Patent No. 5,764,651 to Bullock et al. (hereafter "Bullock").

Applicants respectfully traverse each of the outstanding rejections.

Independent claims 1, 5, and 9 recite transmitters and receivers, where the transmitters are co-located with each other and the receivers for testing. The claims further recite a continuous cascade of a co-located plurality of optical transmitter/receiver pairs. It is respectfully submitted that Waschka, Maione, and Bullock, taken separately or in combination, fail to teach or suggest this feature.

In the previous Reply filed September 1, 2004, Applicants argued with respect to independent claims 5 and 9 that both Waschka and Bullock are concerned with the operation of **deployed** optical systems. Although Waschka discloses the testing of terminal stations in an optical network, such testing is performed after the stations (and, thus, the optical transmitter and receivers) have been deployed to different locations.

However in the Response to Arguments (page 22) of the outstanding Office Action, the Examiner asserts the following:

...Applicant's intended usage of the term "co-located" may be narrower in scope than the scope of the actual claim language. Note that each station in Fig. 1 of Waschka, Jr. has an optical transmitter and an optical receiver[], a "transmitter/receiver pair." Each station constitutes a location that an optical transmitter and an optical receiver, together, located therein constitute a "co-located optical transmitter/receiver pair."

Accordingly, it is apparent that the Examiner interpreted the previously claimed feature of "a plurality of co-located transmitter/receiver pairs" as meaning that each pair is comprised of a co-located transmitter and receiver. This interpretation is different from Applicants' intended meaning of a plurality of **co-located pairs**, each comprised of a transmitter and receiver.

Therefore, Applicants have amended independent claims 5 and 9 to more clearly recite that the claimed continuous cascade is of a co-located plurality of transmitter/receiver pairs. Furthermore, independent claim 1 has also been amended to include this language. As such, the independent claims now more clearly recite that multiple transmitters and receivers are co-located (i.e., each transmitter and each receiver in the co-located pairs). Thus, Waschka's teaching of a single terminal

station, in which one optical transmitter is co-located with one optical receiver, is insufficient to teach or suggest the abovementioned claimed feature.

In a further effort to emphasize this distinction, claims 1, 5, and 9 have also been amended to recite that the claimed transmitters are co-located with each other and with the claimed receivers for testing. It is respectfully submitted that such amendments even further renders Waschka's teaching of a single transmitter/receiver pair in a terminal station deficient. Applicants further submit that Maione and Bullock fail to remedy the deficiency of Waschka.

Accordingly, Applicants respectfully submit that independent claims 1, 5, and 9 are allowable over the cited patents at least for the reasons set forth above. It is further respectfully submitted that claims 2-4, 6-8, and 10-22 are allowable at least by virtue of their dependency on claims 1, 5, and 9.

The Examiner is therefore respectfully requested to reconsider and withdraw the § 103 rejections.

Conclusion

In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.


Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in order to expedite prosecution.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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Attachments: Replacement Sheet (1) of Drawings
Annotated Sheet (1) of Drawings

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Fig. 2. This sheet, which includes Fig. 2, replaces the original sheet including Fig. 2. In Fig. 2, the connectors for labels 225 and 235 have been changed to more clearly associate these labels with the signals sent from transmitters TX_n and receivers RX_n , respectively, to the DIAGNOSTICS ANALYZER 250.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

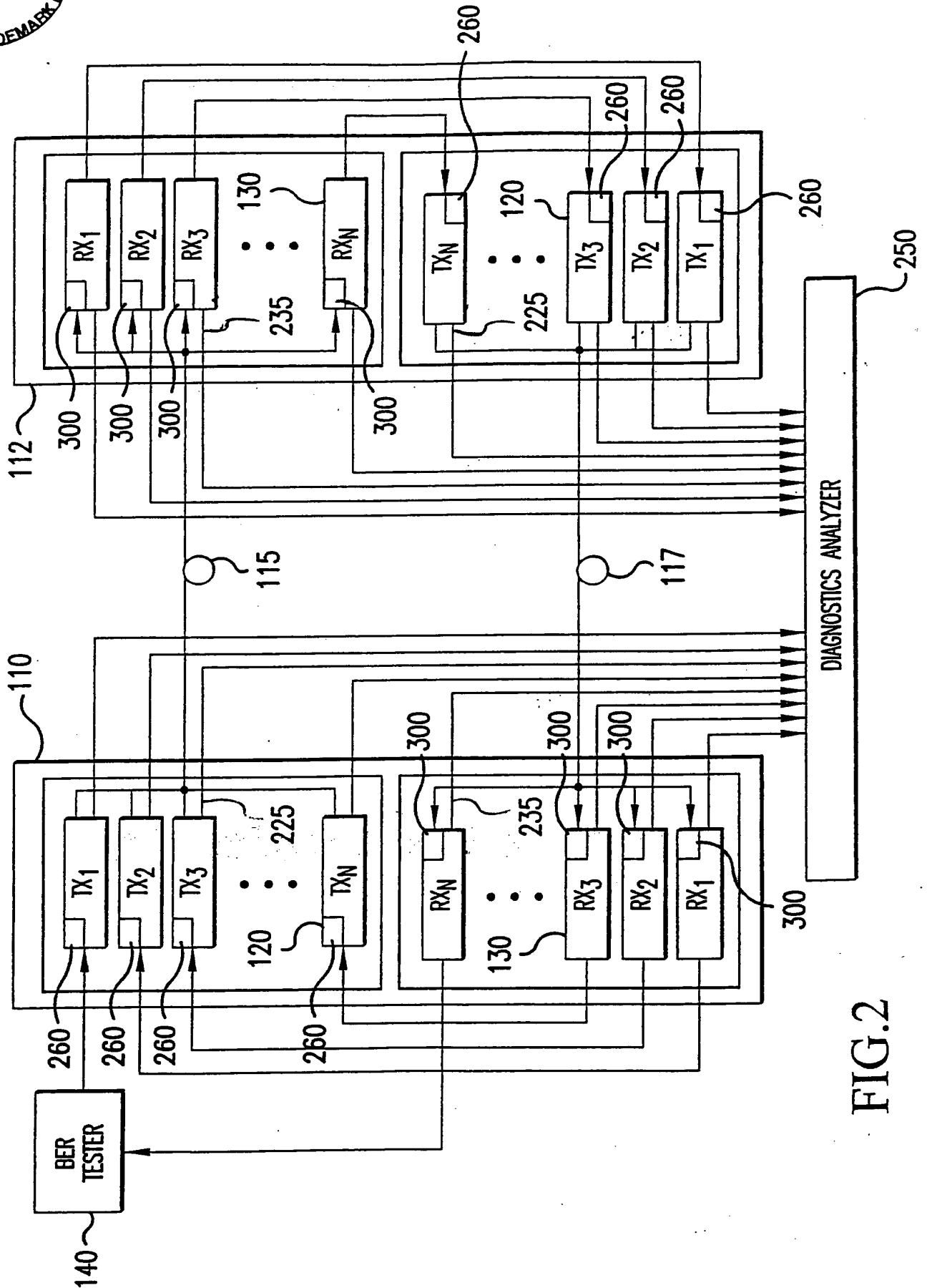


FIG. 2